

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR03-304C

Plaintiff,

V.

SHAWN LOUIS NELSON,

Defendant.

**PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on November 23, 2005. The United States was represented by Bruce Miyake. The defendant was represented by William Palmer. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Possession of Stolen Mail on or about December 12, 2003. The Hon. John C. Coughenour of this court sentenced Defendant to 24 months confinement, followed by 3 years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

DEFENDANT'S ADMISSION

USPO Kathi Stringer for Burton Maroney alleged that Defendant violated the conditions of supervised release in three respect(s):

- (1) Committing a federal, state or local crime in violation of his general conditions of supervised release.
 - (2) Failing to notify the probation officer at least ten days prior to any change in residence or employment in violation of standard condition number 6 of his supervised release.
 - (3) Failing to notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer in violation of standard condition number 11 of his supervised release.

8 At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At
9 today's hearing Defendant admitted the violations numbered one through three, waived any hearing
10 as to whether it occurred, and, consented to having the matter set for a disposition hearing before
11 the Hon. John C. Coughenour.

RECOMMENDED FINDINGS AND CONCLUSIONS

13 Based upon the foregoing, I recommend the court find that Defendant has violated the
14 conditions of his supervised release as alleged and set the matter for a disposition hearing.

15 ||| Defendant has been detained pending a final determination by the court.

16 DATED this 1st day of December, 2005.



MONICA J. BENTON
United States Magistrate Judge

23 cc: Sentencing Judge : Hon. John C. Coughenour
24 Assistant U.S. Attorney : Bruce Miyake
25 Defense Attorney : William Palmer
U. S. Probation Officer : Bruce Maroney